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09/559,159	04/26/2000	Atsushi Ando	32626	1830

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PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108

EXAMINER	
LONSBERRY, HUNTER B	
ART UNIT	**PAPER NUMBER**
2611	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/559,159	ANDO ET AL.	
	Examiner	Art Unit	
	Hunter B. Lonsberry	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see After Final Amendment, filed 9/22/05, with respect to claim 17 have been fully considered and are persuasive. The Final Rejection of 6/17/05 has been withdrawn.

Applicant argues that claim 1, as amended fails to disclose teaching moving picture coding means for producing compressed moving picture data using a moving picture coding formatting and having a high image quality from the still picture data coded using a still picture coding format and obtained from said picture data relaying means. Additionally, applicant argues that one skilled in the art would know that the I, P and B frames would know that the frames represent individual frames of moving images and not still images as recited in the claims (amendment pages 12-13)

Regarding applicants argument, Portuesi discloses utilizing Quicktime video. According to the QuickTime specification from 1996 (of record), enables the display of MPEG video and stills. As MPEG images are made up of I frames (still images) and P/B frames (Moving images), Portuesi does disclose utilizing moving picture data (MPEG VIDEO) converted from a still picture (I frames, along with P and B frames). The examiner notes that I frames are still images. It is the B and P frames which are the moving images, as they predict the changes between the next anchor frame (I frame).

As Portuesi utilizes Quicktime, which displays MPEG video, Portuesi does include still image and moving image coding means.

Applicant argues that there is no motivation to combine the references , in that there is no suggestion within the prior art to combine. Further, applicant argues that the motivation is nothing more than a conclusory benefit of the secondary reference and that the examiner must show a convincing reason that the reader would add that benefit to the base reference. (amendment page 13).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Portuesi discloses transmission of moving picture images made up of still images, a user may select a portion of the image to perform an interactive function. Internet GIS teaches that a user may select a portion of a still image to zoom in, thus enabling a user to view an image in more detail, and enable remote processing of a user request. The Examiner notes that that selecting a portion of a still image to perform a zoom on, is an Interactive function. It would have been readily apparent to one skilled in the art at the time of

invention to modify Portuesi to include the zooming interactive functionality of Internet GIS, for the advantage of enabling user to view a selected image in more detail so that the user may more finely review the image.

Applicant argues that the claim 17 has been newly rejected and there is insufficient motivation to combine the references (Amendment page 14).

Regarding applicants argument, the Examiner has withdrawn the finality of the previous office action. With regards to the motivation to combine:

Guedalia is relied upon for teaching presentation of a zoomed image, which utilizes the same image, thus reducing the bandwidth required for transmission. Tracton is relied upon to teach the use of a mobile terminal, thus enabling a user to access content remotely and at a time convenient to the user. It would have been obvious to one skilled in the art at the time of invention to combine Portuesi with Internet GIS to enable a user to view an image in more detail, to combine with Guedalia to reduce bandwidth consumption by providing a preprocessed image, and to include Traction in order to enable a user to view content remotely and at a time of their choosing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,499,057 to Portuesi in view of the Internet GIS article (Internet GIS and Its Applications in Transportation).

Regarding claims 1 and 4, Portuesi discloses an information providing apparatus (figure 5) for acquiring contents data representing a high quality image from a service providing apparatus capable of storing the contents data and of transmitting the contents data in response to a request from a remote user terminal, and for providing the contents data to the remote user terminal, said information providing comprising:

Storing means (data storage device 58) for storing contents data including still picture data (the movie files may be in the QuickTime or AVI format, which are made up of still images, column 8, lines 32-37, column 1, lines 60-column 2, line 3),

reproducing means 56 for reproducing the contents data (column 9, lines 36-42);

picture data relaying means 56 (column 8, lines 32-37, column 1, lines 60-column 2, line 3, column 5, lines 56-50) for relaying still picture data obtained from the contents data reproduced by the reproducing means(as Portuesi discloses that the AVI or QuickTime files are made up of individual frames and that QuickTime utilizes compression and QuickTime may be used for the display of still images);

means 64 for transmitting the compressed moving picture data to the user terminal 56 to display a still display picture; and

notifying the selected area to the moving picture coding means (video frames may contain a "hotspot" 40 (figure 4), the hotspot is defined by an image map overlaid over the video display, in which a portion of each still image (frame) triggers the display of a URL when a user selects a portion of the frame by placing a cursor over the hotspot, after the cursor is placed over a hotspot, a URL is displayed to the user which the user may use to access a webpage (column 4, line 33-column 6, line 58, column 8, lines 49-column 9, line 19).

Portuesi inherently contains moving picture coding means for producing compressed moving picture using a moving picture coding format from high quality still pictures coded using a still picture format in a stepwise manner, as Portuesi discloses that the AVI or QuickTime files are made up of individual frames and that QuickTime utilizes compression and QuickTime may be used for the display of still images (column 8, lines 32-37, column 1, lines 60-column 2, line 3). Further the Quicktime specification of record discloses that Quicktime formatting utilizes MPEG compression, and MPEG video utilizes I frames which are still picture coded frames, and B/P frames which are moving picture coded frames (these frames predict the movement between each I frame).

Portuesi fails disclose control means for determining an area of the still picture data coded into the compressed moving picture data in response to a user selection of a portion of the still display picture made from the remote user terminal.

Internet GIS discloses the Mapquest website, which utilizes image maps associated with a still image for a map, a user may click on an still image to zoom in, or

may select a zoom level, after which the image provider will be notified, and a zoomed in image will be displayed (pages 4-7), thus enabling user to view a selected image in more detail so that the user may more finely review the image.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the image map of Portuesi to utilize the interactive zoom feature as taught by Internet GIS, for the advantage of enabling user to view a selected image in more detail so that the user may more finely review the image.

Regarding claims 2, 5, Portuesi discloses that the playback applications may be VCR like in nature and may include, rewind, fast-forward and frame advance (column 2, lines 32-37).

Regarding claims 3, 6, Portuesi discloses in Figure 2 a movie file 8 which is transmitted to a user, the multiplexed data includes an image track 18, audio track 16 and associated URL track 20 all of which are sent together at the same time over the same medium, the video may be QuickTime or AVI formatted (column 4, line 62-column 5, line 26, column 6, lines 47-51).

3. Claims 7-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,499,057 to Portuesi in view of the Internet GIS article (Internet GIS and Its Applications in Transportation) and U.S. Patent 6,470,378 to Tracton and U.S. Patent 6,536,043.

Regarding claims 7 and 13, Portuesi discloses an information providing system for acquiring content data from a service providing system and for providing a communication service to a remotely located terminal, wherein the content data represents a high quality still image, said information providing system comprising:

moving picture coding means (the movies are encoded in QuickTime, column 5, lines 56-50) for producing compressed moving picture data from the content data using a stepwise image quality complementary coding system (Portuesi inherently contains moving picture coding means for producing compressed moving picture using a moving picture coding format from high quality still pictures coded using a still picture format in a stepwise manner, as Portuesi discloses that the AVI or QuickTime files are made up of individual frames and that QuickTime utilizes compression and QuickTime may be used for the display of still images, column 8, lines 32-37, column 1, lines 60-column 2, line 3). Further the Quicktime specification of record discloses that Quicktime formatting utilizes MPEG compression, and MPEG video utilizes I frames which are still picture coded frames, and B/P frames which are moving picture coded frames (these frames predict the movement between each I frame), and

transmitting means 64 for transmitting the compressed moving picture data to the terminal 56 (figure 5) via a communication network 54, wherein the terminal displays a still display image representing the high quality still image from the compressed moving picture data (column 8, lines 32-37, column 1, lines 60-column 2, line 3, the images are QuickTime images, and QuickTime may be used for the display of still image data).

Portuesi fails to disclose a mobile terminal and image processing that is primarily conducted by the information providing system to reduce a processing load on a mobile terminal.

Internet GIS discloses the Mapquest website, which utilizes image maps associated with a still image for a map, a user may click on an still image to zoom in, or may select a zoom level, after which the image provider will be notified, and a zoomed in image will be displayed and the processing is done at the provider (pages 4-7), thus enabling user to view a selected image in more detail so that the user may more finely review the image.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the image map of Portuesi to enable a zoom feature as taught by Internet GIS, for the advantage of enabling user to view a selected image in more detail so that the user may more finely review the image.

The combination of Portuesi and Internet GIS fails to disclose a mobile terminal, and deriving a second image from the first image.

Guedalia discloses a terminal, which receives an image, a user selects an area of the image and the compress encoding means is notified of the selection. In particular, Guedalia discloses that an image may be broken up into small image tiles, user may select a hotspot (a tile) within a still image, and a higher resolution tile is provided to a user providing the effect of a zoom (column 24, lines 30-56), thus enabling the user to view the same image but in higher quality.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Portuesi and Internet GIS, to derive a second image from the first image, as taught by Guedalia, for the advantage of enabling the user to view the same image but in higher quality.

The combination of Portuesi, Internet GIS, and Guedalia fails to disclose a mobile terminal.

Tracton discloses an MPEG system which takes into account the processor capabilities of a device and its bandwidth prior to transmitting an MPEG stream; the stream may be received at a mobile device such as a cellular phone, a web browser may be utilized (column 4, lines 33-49, column 5, lines 12-46, column 6, lines 50-column 8, line 5), thus reducing the manufacturing costs of the remote device, and enabling the user to access content anywhere.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Portuesi, Guedalia and Internet GIS to include a cell phone which can view Internet content and video images from any location, and enables most of the processing to be completed at a server system, as taught by Tracton, for the advantage of reducing the manufacturing costs of the remote device, and enabling the user to access content anywhere.

Regarding claim 8 and 15, the combination of Portuesi, Tracton and Internet GIS disclose a browser enabled video system on a cell phone.

Portuesi, Tracton and Internet GIS fail to disclose displaying an image in progressively more detail over time.

Guedalia discloses a system, which delivers different versions of video content depending upon the available bandwidth, as time goes on, or as a video is replayed, the video quality improves (column 20, line 57-column 21, line 46, column 23, line 57, column 24, lines 30-56), thus improving the video quality over time in a limited bandwidth system.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Portuesi, Tracton and Internet GIS to provide an image with more detail over time as taught by Guedalia for the advantage of improving the video quality over time in a limited bandwidth system.

Regarding claims 9-11 and 14, Tractron is relied upon to teach a mobile terminal which is a portable telephone and is capable of displaying moving pictures (column 4, lines 33-49, column 5, lines 12-46, column 6, lines 50-column 8, line 5).

Regarding claims 12 and 16, Portuesi discloses that a control means 14 (user input device 14, which may be a keyboard, mouse or pointing device) may be used to choose an area of the displayed compressed video for manipulation (column 4, lines 44-49),

Internet GIS is relied upon to teach use of the Mapquest website, which utilizes image maps associated with a still image for a map, a user may click on an still image to

zoom in, or may select a zoom level, after which the image provider will be notified, and a zoomed in image will be displayed and the processing is done at the provider (pages 4-7), thus enabling user to view a selected image in more detail so that the user may more finely review the image.

Tracton is relied upon to teach the use of a mobile terminal.

Regarding claim 17, Portuesi discloses a system (figure 5) comprising:

A terminal 56 capable of displaying compressed moving picture data (column 9, lines 19-25, column 1, lines 51-60),

A service providing system 52, for providing content data (movie file 60) wherein the content data represents a high quality still image (column 8, lines 32-37, column 1, lines 60-column 2, line 3, the images are QuickTime images, and QuickTime may be used for the display of still image data),

An information providing system (distribution network 54 and terminal 56), for acquiring the content data from the service providing system 52 and for providing a communication service to the terminal comprising

moving picture coding means for producing compressed moving picture data (the movies are encoded in QuickTime, column 5, lines 56-50) from the content data using a stepwise image quality complementary coding system (Portuesi inherently contains moving picture coding means for producing compressed moving picture using a moving picture coding format from high quality still pictures coded using a still picture format in a stepwise manner, as Portuesi discloses that the AVI or QuickTime files are made up

of individual frames and that QuickTime utilizes compression and QuickTime may be used for the display of still images, column 8, lines 32-37, column 1, lines 60-column 2, line 3). Further the Quicktime specification of record discloses that Quicktime formatting utilizes MPEG compression, and MPEG video utilizes I frames which are still picture coded frames, and B/P frames which are moving picture coded frames (these frames predict the movement between each I frame)); and

transmitting means 64 for transmitting the compressed moving picture data to the terminal 56 (figure 5) via a communication network 54, wherein the terminal displays a still display image representing the high quality still image from the compressed moving picture data (column 8, lines 32-37, column 1, lines 60-column 2, line 3, the images are QuickTime images, and QuickTime may be used for the display of still image data),

control means 14 (user input device 14, which may be a keyboard, mouse or pointing device) may be used to choose an area of the displayed compressed video for manipulation (column 4, lines 44-49),

Portuesi fails to disclose a mobile terminal, which includes telephone capability for connecting to a telephone network, and image processing that is primarily conducted by the information providing system to reduce a processing load on a mobile terminal, producing a zoomed still image.

Internet GIS discloses the Mapquest website, which utilizes image maps associated with a still image for a map, a user may click on an still image to zoom in, or may select a zoom level, after which the image provider will be notified, and a zoomed in image will be displayed and the processing is done at the provider (pages 4-7), thus

enabling user to view a selected image in more detail so that the user may more finely review the image.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the image map of Portuesi to enable a zoom feature as taught by Internet GIS, for the advantage of enabling user to view a selected image in more detail so that the user may more finely review the image.

The combination of Portuesi and Internet GIS fails to disclose a mobile terminal, and deriving a second image from the first image.

Guedalia discloses a terminal, which receives an image, a user selects an area of the image and the compress encoding means is notified of the selection. In particular, Guedalia discloses that an image may be broken up into small image tiles, user may select a hotspot (a tile) within a still image, and a higher resolution tile is provided to a user providing the effect of a zoom (column 24, lines 30-56), thus enabling the user to view the same image but in higher quality.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Portuesi and Internet GIS, to derive a second image from the first image, as taught by Guedalia, for the advantage of enabling the user to view the same image but in higher quality.

The combination of Portuesi, Internet GIS, and Guedalia fails to disclose a mobile terminal.

Tracton discloses an MPEG system which takes into account the processor capabilities of a device and its bandwidth prior to transmitting an MPEG stream; the

stream may be received at a mobile device such as a cellular phone, a web browser may be utilized (column 4, lines 33-49, column 5, lines 12-46, column 6, lines 50-column 8, line 5), thus reducing the manufacturing costs of the remote device, and enabling the user to access content anywhere.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Portuesi, Guedalia and Internet GIS to include a cell phone which can view Internet content and video images from any location, and enables most of the processing to be completed at a server system, as taught by Tracton, for the advantage of reducing the manufacturing costs of the remote device, and enabling the user to access content anywhere.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL

CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600